

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LESLIE BARNES MARKS,

No. C 07-02133 SI

Plaintiff,

**ORDER DENYING PLAINTIFF'S
MOTION FOR LEAVE TO FILE A
MOTION FOR RECONSIDERATION**

v.

OCWEN LOAN SERVICING, et al.,

Defendants.


Currently before the Court is plaintiff's request for leave to file a motion for reconsideration of the Court's February 6, 2008 Order granting in part and denying in part defendants' motion to dismiss. Plaintiff would like the Court to reconsider its dismissal without leave to amend of plaintiff's fourth cause of action against defendant Ocwen Loan Servicing, as well as its dismissal without leave to amend of plaintiff's fifth cause of action against defendant DB Structured Products. Despite a lack of such allegations in her first two complaints, plaintiff argues that Ocwen actually may have been an owner of the loan, and that DB actually may have been a servicer of the loan. In so arguing, plaintiff does not present any new facts or arguments to the Court. Accordingly, pursuant to Civil Local Rule 7-9, the Court hereby DENIES plaintiff's motion for leave to file a motion for reconsideration. However, the motion is denied WITHOUT PREJUDICE to plaintiff bringing a subsequent motion for leave to amend should discovery unveil new facts that support plaintiff's contentions about Ocwen and DB having been both loan servicers and owners.

Plaintiff also requests an extension of time in which to file her second amended complaint. Plaintiff's motion for an extension is GRANTED. Plaintiff shall file her amended complaint on or

1 before March 28, 2008, and defendants shall have 30 days to answer or otherwise respond to the
2 amended complaint. Defendants' motion for sanctions against plaintiff are DENIED.

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4 **IT IS SO ORDERED.**

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6 Dated: March 20, 2008



SUSAN ILLSTON
United States District Judge